

REMARKS

Applicant respectfully requests entry and consideration of the above amendments even though presented after a final rejection. Applicant submits that the amendments do not raise new issues or require a new search. Further, entry and consideration of the amendments may isolate issues for potential allowance or appeal. The amendments were not presented earlier in the prosecution due to a better understanding of the Examiner's position as reflected in the latest Office Action.

Specification

In the specification, paragraph [0018] has been amended to correct minor editorial problems.

Summary

Claims 7-10 and 12-15 stand in this application. Claims 1-6, 11 and 16-20 have been canceled. Claims 7-10 and 12-15 are currently amended. No new matter has been added. Favorable reconsideration and allowance of the standing claims are respectfully requested

Allowable Claims

We would like to thank the Examiner for indicating the allowability of claims 9 and 14 if amended to overcome the objections set forth within the Office Action.

Applicant respectfully submits that claims 9 and 14 have been amended as suggested by the Office Action and are in condition for allowance.

Claim Objections

Claims 9 and 14 were objected to for informalities. Applicant respectfully submits that claims 9 and 14 have been amended in accordance with the suggestions set forth within the office action. Therefore, Applicant respectfully requests removal of the claim objections to claims 9 and 14 and any claim depending therefrom.

35 U.S.C. § 102

At page 3, paragraph 4 of the Office Action claims 1-3, 17 and 18 stand rejected under 35 U.S.C. § 102 as being anticipated by Kuffner, United States Patent Pub. No. 2003/0235167 (hereinafter “Kuffner”). Applicant respectfully traverses the rejection, and requests reconsideration and withdrawal of the anticipation rejection. Claims 1-3, 17 and 18 have been canceled and, therefore, Applicant respectfully requests removal of the anticipation rejection.

At page 4, paragraph 5 of the Office Action claims 6, 7, 11 and 12 stand rejected under 35 U.S.C. § 102 as being anticipated by Phillips, United States Patent No. 6,188,898 (hereinafter “Phillips”). Applicant respectfully traverses the rejection, and requests reconsideration and withdrawal of the anticipation rejection. Applicant respectfully submits that claims 6 and 11 have been canceled. Furthermore, Applicant respectfully requests withdrawal of the anticipation rejection with respect to claims 7 and

12, which depend from allowable claims 9 and 14 and, therefore, contain additional features that further distinguish these claims from the cited references.

35 U.S.C. § 103

Claims 4, 16 and 19 were rejected under 35 USC § 103(a) as being unpatentable over Kuffner (U.S. 2003/0235167) in view of Allison et al. (U.S. 6,167,032). Claims 8 and 13 were rejected under 35 USC § 103(a) as being unpatentable over Phillips (U.S. 6,188,898) in view of Kuffner (U.S. 2003/0235167). Claims 10 and 15 were rejected under 35 USC § 103(a) as being unpatentable over Phillips (U.S. 6,188,898) in view of Allison et al. (U.S. 6,167,032).

Applicant respectfully submits that claims 4, 16 and 19 have been canceled. Furthermore, Applicant respectfully requests withdrawal of the obviousness rejection with respect to claims 8, 10, 13, 15, which depend from allowable claims 9 and 14 and, therefore, contain additional features that further distinguish these claims from the cited references.

Conclusion

For at least the above reasons, Applicant submits that claims 7-10 and 12-15 recite novel features not shown by the cited references. Further, Applicant submits that the above-recited novel features provide new and unexpected results not recognized by the cited references. Accordingly, Applicant submits that the claims are not anticipated nor rendered obvious in view of the cited references.

Applicant does not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the dependent claims discussed above. Accordingly, Applicant hereby reserves the right to make additional arguments as may be necessary to further distinguish the dependent claims from the cited references, taken alone or in combination, based on additional features contained in the dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

It is believed that claims 7-10 and 12-15 are in allowable form. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

Appl. No. 10/812,648
Response Dated April 24, 2008
Reply to Office Action of February 22, 2008

Docket No.: 1020.P18387
Examiner: Foud, Hicham B.
TC/A.U. 2616

The Examiner is invited to contact the undersigned at 724-933-9338 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to deposit account 50-4238.

Respectfully submitted,

KACVINSKY LLC

/John F. Kacvinsky/

John F. Kacvinsky, Reg. No. 40,040
Under 37 CFR 1.34(a)

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